



Zoning
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION

AGENDA ITEM NO.: Z-23
AGENDA DATE: Thu 10/21/2004
PAGE: 1 of 1

SUBJECT: C14-04-0133 - Lamar Zoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11800 North Lamar Boulevard (Walnut Creek Watershed) from development reserve (DR) district zoning and limited office (LO) district zoning to community commercial (GR) district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning for Tract 1 and limited office-conditional overlay (LO-CO) combining district zoning for Tract 2. Applicant: North Lamar Ventures Partnership, Ltd. Agent: Crocker Consultants (Sarah Crocker). City Staff: Sherri Gager, 974-3057.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Alice Glasco

ZONING CHANGE REVIEW SHEET

CASE: C14-04-0133

Z.A.P. DATE: September 21, 2004
October 5, 2004

ADDRESS: 11800 North Lamar Boulevard

APPLICANT: Lamar Ventures Partnership, Ltd.

AGENT: Crocker Consultants
(Sarah Crocker)

ZONING FROM: DR, LO

TO: GR

AREA: 6.732 acres*

***Amended to:** 6.598 acres on 9/21/04

SUMMARY STAFF RECOMMENDATION:

Staff's alternate recommendation is for GR-CO, Community Commercial-Conditional Overlay District, zoning for the first/or eastern 400-feet of the property (Tract 1 – 3.797 acres) and LO-CO, Limited Office-Conditional Overlay District, zoning for the remaining 360-feet/or western portion of the property (Tract 2 – 2.801 acres). The conditional overlay for Tracts 1 and 2 will limit development on the site to less than 2,000 vehicle trips per day. The CO for Tract 1 will also prohibit the following uses:

Automotive rentals	Automotive repair services
Automotive sales	Automotive washing (of any type)
Business or trade school	Business support services
Commercial off-street parking	Consumer repair services
Exterminating services	Financial services
Food sales	Funeral services
General retail sales (general)	Hotel-motel
Indoor entertainment	Indoor sports and recreation
Off-site accessory parking	Outdoor sports and recreation
Pawn-shop services	Pet services
Research services	Service station
Theater	Community recreation (private)
Community recreation (public)	Congregate living
College and University facilities	Guidance services
Hospital services (limited)	Private secondary educational facilities
Residential treatment	

In addition, drive-in service as an accessory use to restaurant general and limited is prohibited.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

9/21/04: Continued to 10/05/04 by ZAP (7-0, K. Jackson-left early, J. Gohil-absent);
M. Whaley-1st, J. Martinez-2nd.*

*Request made for staff to notify for City Council on 10/21/04.

10/5/04: Approved staff's recommendation of GR-CO district zoning for Tract 1 and LO-CO district zoning for Tract 2. Additional condition for Tract 1 is LR development standards. The following uses are removed from the prohibited use list: Business or Trade School; General

Retail Sales (General); Business Support Services; Consumer Repair Services; Financial Services, and Pet Services (9-0); K. Jackson-1st, J. Martinez-2nd.

ISSUES:

The applicant is in agreement with the recommendation of the Zoning and Platting Commission.

At the Zoning and Platting Commission meeting, two representatives of the North Park Estates Homeowners Association (adjacent to the west) spoke in opposition to the applicant's request.

The applicant has amended the rezoning area to exclude the tract zoned GR-CO by a 2003 case known as Ruffi's Taqueria (C14-03-0162). The applicant is in agreement with the staff recommendation *except for* the following six land uses that are recommended to be prohibited by staff and consistent with the 2003 case:

Business or Trade School	General Retail Sales(General)	Business Support Services
Consumer Repair Services	Financial Services	Pet Services

The applicant's agent has stated that the rezoning area qualifies for legal lot status and that the Walnut Creek tributary that forms the west property line is considered a major waterway.

The Staff Recommendation of GR-CO for Tract 1 and LO-CO for Tract 2 and the list of prohibited uses *remains unchanged*. The Conditional Overlay for prohibited uses was recommended by Commission and approved by Council in late January 2004 with the Ruffi's Taqueria case.

DEPARTMENT COMMENTS:

The site under consideration is currently occupied with a cafe (Ross Café), two offices (All Save Auto Insurance and Travis County Emergency Services District 4), a vacant building, and a monument/retail sales use (Artcraft Monument Company). The property is developed with six separate structures built in a semi-circle. Some of the uses described above are located in one structure containing two separate suites. The applicant is requesting GR, Community Commercial District, zoning for the site to bring the existing uses on the property into conformance with the City of Austin Land Development Code.

The staff recommends GR-CO zoning for the first 400-feet of the property (Tract1) and LO-CO for the remaining 360-feet of the site (Tract 2). The proposed 400-foot depth limit for Tract 1 is consistent with the location of existing commercial buildings to the north and south of this site. The staff recommends GR-CO zoning for Tract 1 because the proposed zoning will allow for commercial development with frontage on North Lamar Boulevard, a major arterial roadway. The existing office, retail, and restaurant uses are consistent with adjacent commercial development to the north, south, and east of this tract. The staff has recommended the same list of prohibited uses for Tract 1 that were approved in zoning case C14-03-0162, which rezoned the Ruffi's Taqueria restaurant to the southeast of this site last year.

The proposed LO-CO zoning for Tract 2 will provide a transition in the intensity of uses to the west adjacent to the Walnut Creek residential neighborhood. In addition, Limited Office zoning on Tract 2 will allow for a greater protection of trees and reduced impervious cover along the Walnut Creek tributary.

The North Lamar Area Study recommends LO, Limited Office District, zoning for the properties in this area. However, the North Lamar Area Study has not been strictly upheld along in this section of North Lamar Boulevard, as intensive commercial uses have developed along the frontage of this arterial roadway.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LO, DR	Monument/Retail Sales, Vacant Building, Barber Shop (Personal Improvement Services use), Office, Restaurant
<i>North</i>	LO	Contractor Office (Construction Sales & Services use), Antiques (Retail Sales), Cocktail Lounge
<i>South</i>	GR-CO, LO	Restaurant, Computer Sales (Vacant), Communication Services, Convenience Storage, Appliance Repair
<i>East</i>	LO, SF-1	Office, Auto Repair, Single-Family Residential Neighborhood
<i>West</i>	SF-2	Single-Family Residential Neighborhood

AREA STUDY: North Lamar Area Study (1985)

TIA: Waived

WATERSHED: Walnut Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

64 – River Oaks Lakes Estates Neighborhood
 85 – Walnut Creek Neighborhood Association
 114 – North Growth Corridor Alliance
 197 – North Park Estates Homeowners Association
 511 – Austin Neighborhoods Council
 937 – Taking Action Inc.

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-03-0162	LO to GR-CO	12/2/03 – Postponed at the request of staff, due to a notice error (9-0) 12/16/03 – Approved GR-CO, with added condition (8-0)	1/29/04: Approved GR-CO (5-0); all 3 readings
C14-00-2020	RR to GO-CO	4/18/00: Denied (6-0)	8/30/00: Withdrawn
C14-00-2152	DR to LO-CO	8/22/00: Approved LO-CO. The CO prohibits access to North Bend Dr. and limits trips to 2,000 per day (8-0)	10/5/00: Approved LO-CO (5-0); all 3 readings
C14-99-2071	SF-2, RR	1/25/00: Approved MF-1 w/ SF-6 density (5-4, JR, JM, RC, RV-Nay)	4/13/00: Approved SF-6-CO on 1 st reading subject to conditions: 1) Prohibit access to all roadways to North Lamar,

			existing or future, 2) dedicate floodplain area to PARD, 3) increase detention by 10%, 4) prohibit development on 3.2 acre site south of subject tract as offered by the applicant (6-0, KW-absent) 5/18/00: Approved 2 nd /3 rd readings w/prohibition of duplex use (5-1, BG-Nay, WL-absent)
C14-99-2055	RR to NO	11/16/99: Approved staff rec. of RR by consent (6-0-1, B. Baker-abstain)	9/21/00: Withdrawn-There was a mapping error, the property was already zoned NO.
C14-90-0002		4/10/90: Approved W/LO (5-0-3)	5/10/90: Approved W/LO (6-0); 1 st reading 8/2/90: Approved W/LO (6-0); 2 nd /3 rd readings

RELATED CASES: C14-03-0162 (Previous Zoning Case for Ruff's Taqueria)
C14-85-0149 (North Lamar Area Study)
C8-A1-2564 (Subdivision Case)

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION	DAILY TRAFFIC
Lamar Boulevard	100'	60'	Major Arterial	N/A

CITY COUNCIL DATE: October 21, 2004

ACTION:

ORDINANCE READINGS: 1st

2nd

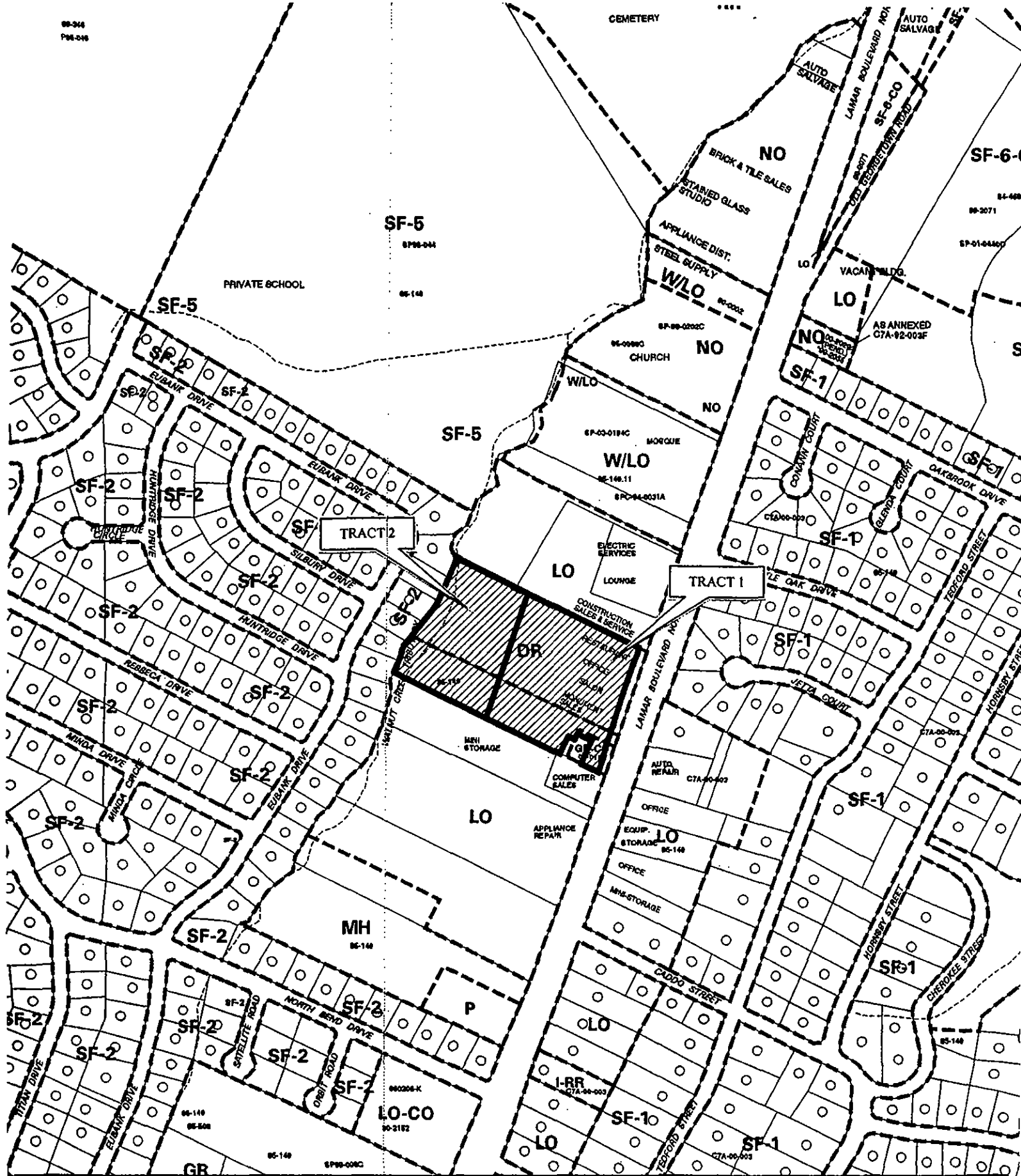
3rd

ORDINANCE NUMBER:

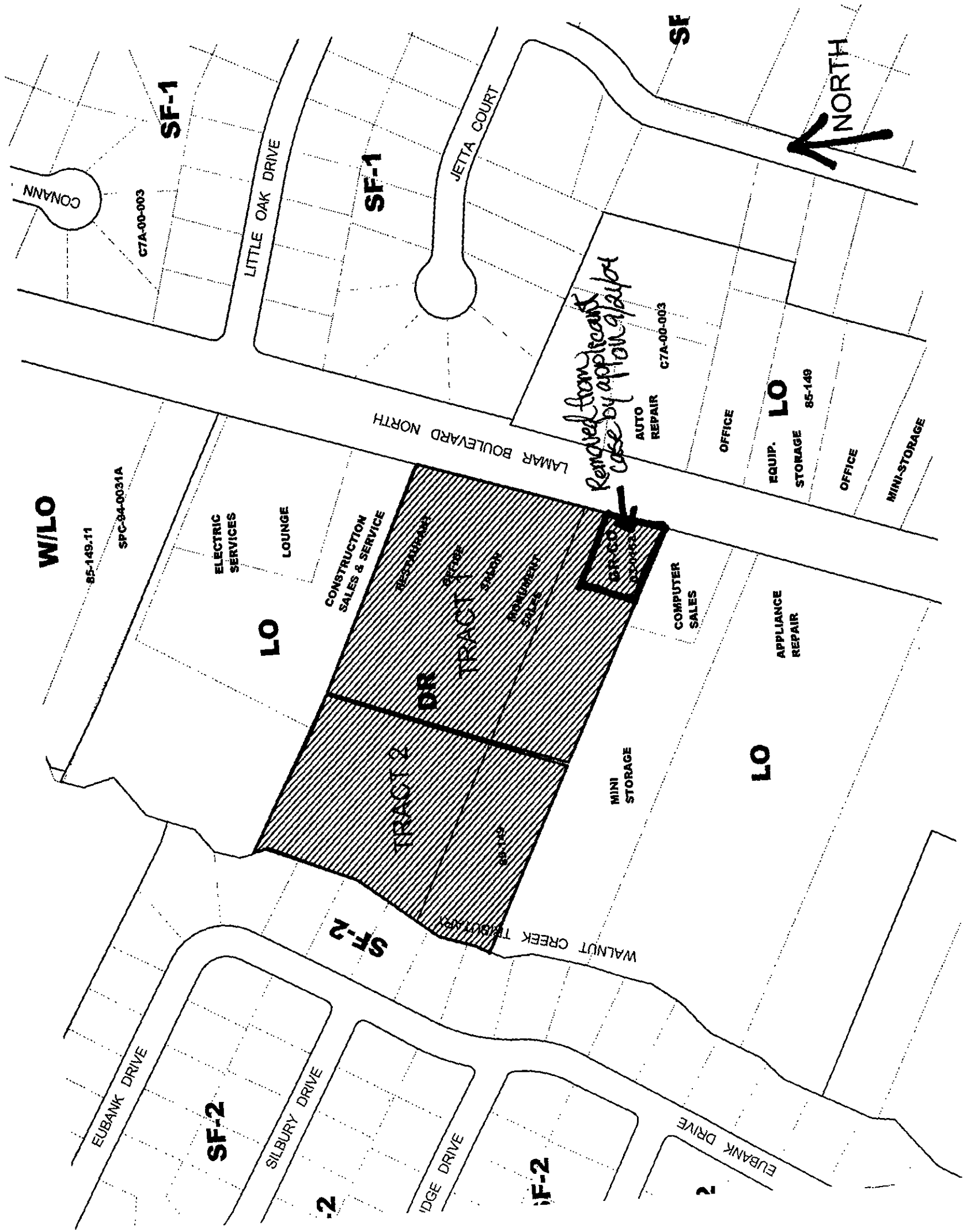
CASE MANAGER: Sherri Gager

PHONE: 974-3057

sherri.gager@ci.austin.tx.us



 1" = 400'	SUBJECT TRACT		ZONING CASE #: C14-04-0133 ADDRESS: 11800 N LAMAR BLVD SUBJECT AREA (acres): 6.598	DATE: 04-10 INTLS: SM	CITY GRID REFERENCE NUMBER M32
	PENDING CASE				
	ZONING BOUNDARY				
	CASE MGR: S. GAGER				



NORTH

SF

SF-1

SF-1

LITTLE OAK DRIVE

JETTA COURT

G7A-00-003

CONANN

Removed from applicants case by applicant

AUTO REPAIR G7A-00-003

OFFICE

EQUIP. LO

STORAGE 85-149

OFFICE

MINI-STORAGE

LAMAR BOULEVARD NORTH

W/LO

85-149.11

SPC-84-0031A

ELECTRIC SERVICES

LOUNGE

LO

CONSTRUCTION SALES & SERVICE

RESTAURANT

TRACT 1

BAR

RESTAURANT

BAR

COMPUTER SALES

APPLIANCE REPAIR

LO

MINI STORAGE

TRACT 2

DR

SF-2

WALNUT CREEK TRAILWAY

SF-2

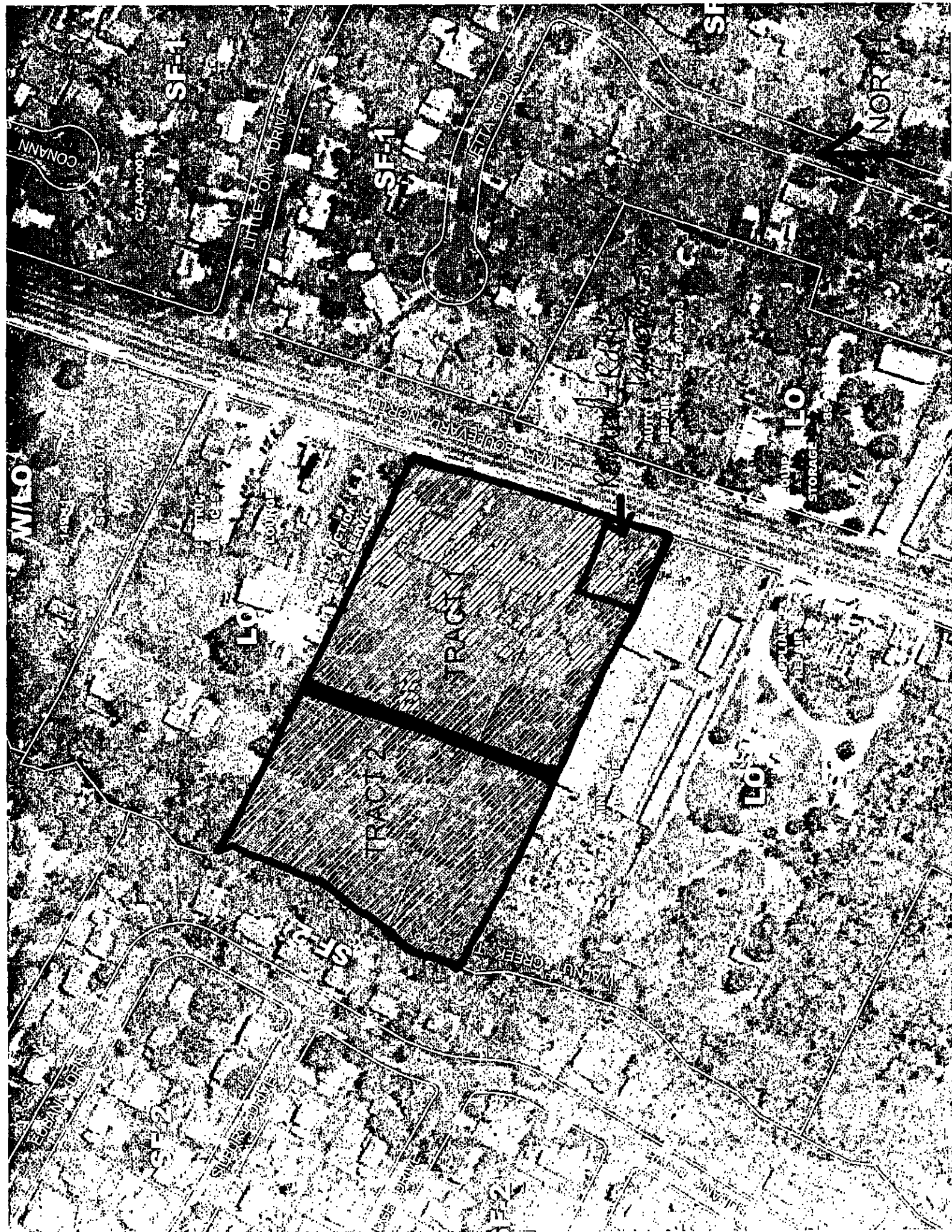
EUBANK DRIVE

SILBURY DRIVE

DGE DRIVE

SF-2

EUBANK DRIVE



STAFF RECOMMENDATION

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Residential treatment	

In addition, drive-in service as an accessory use to restaurant general and limited is prohibited.

BASIS FOR RECOMMENDATION

1. The proposed zoning should be consistent with the purpose statement of the district sought.

The Community Commercial (GR) zoning district is the designation for an office or other commercial use that serves neighborhood and community needs and that generally is accessible from major traffic ways.

The Limited Office (LO) district is the designation for an office use that serves neighborhood or community needs and that is located in or adjacent to residential neighborhoods.

The applicant's request meets the purpose statement for the GR and LO zoning districts as set forth in the Land Development Code. The property in question fronts onto a major arterial roadway and will provide for services for surrounding neighborhood and community needs.

2. The proposed zoning should promote consistency, and orderly planning.

The proposed rezoning is consistent with the commercial nature of the area. While there may not be GR zoning in the immediate vicinity, most of the properties along this portion of North Lamar are developed with GR and CS district uses. Surrounding uses include mini-storage and auto repair to the south and east, and a lounge and construction sales and service uses to the north.

The proposed LO-CO zoning for Tract 2 will provide a transition in the intensity of uses to the west adjacent to the Walnut Creek residential neighborhood. Limited Office zoning will also allow for a greater protection of trees and reduced impervious cover along the Walnut Creek tributary.

3. *Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors.*

The subject tract is located on and takes access to North Lamar Boulevard., a major arterial roadway.

EXISTING CONDITIONS

Site Characteristics

The site is currently occupied with a cafe (Ross Café), two offices (All Save Auto Insurance and Travis County Emergency Services District 4), a vacant building, and a monument/retail sales use (Artcraft Monument Company). The property is developed with six separate structures built in a semi-circle. Some of the uses described above are located in one structure (two suites).

Impervious Cover

The maximum impervious cover allowed by the GR zoning district would be 90 %. However, because the Watershed impervious cover is more restrictive than the GR zoning district's allowable impervious cover, the impervious cover on this site would be limited by the watershed ordinance. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

In the Water Quality Transition Zones, impervious cover is limited to 30%.

Note: The most restrictive impervious cover limit applies.

Environmental

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Walnut Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code.

According to flood plain maps, there is no floodplain within, or adjacent to the project boundary.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

Transportation

No additional right-of-way is needed at this time.

The trip generation under the requested zoning is estimated to be 17,076 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

Capital Metro bus service is not available within 1/4 mile of this property.

Existing Street Characteristics:

NAME	ROW	PAVEMENT	CLASSIFICATION
Lamar Boulevard	Varies	60'	Arterial

Right of Way

The scope of this review is limited to the identification of needs for dedication and/or reservation of right-of-way for funded Capital Improvement Program (C.I.P.) Roadway Construction Projects and Transportation Systems Management (T.S.M.) Projects planned for implementation by the City of Austin. No aspect of the proposed project is being considered or approved with this review other than the need for right-of-way for City projects. There are separate right-of-way dedication and reservation requirements enforced by other Departments and other jurisdictions to secure right-of-way for roadway improvements contained in the Austin Metropolitan Area Roadway Plan, roadway projects funded by County and State agencies, and for dedication in accordance with the functional classification of the roadway.

We have reviewed the proposed subdivision, site plan, or zoning case and anticipate no additional requirement for right-of-way dedication or reservation for funded C.I.P. or T.S.M. projects at this location.

Water and Wastewater

The landowner intends to serve the site with City water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or adjustment are required, the landowner will be responsible for all costs and providing. Also, the

utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City utility design criteria and specifications.

Stormwater Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

Compatibility Standards

Site plans will be required for any new development other than single-family or duplex residential. Currently there is not a site plan application in review for the subject site.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

The site is subject to compatibility standards. Along the west property line, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.

Additional design regulations will be enforced at the time a site plan is submitted.

- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
- A landscape area at least 15 feet in width is required along the property line if tract is zoned MF-3, MF-4, MF-5, MH, NO, or LO.
- A landscape area at least 25 feet in width is required along the property line if the tract is zoned LR, GO, GR, L, CS, CS-1, or CH. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.



City of Austin, Neighborhood Planning & Zoning Department
505 Barton Springs Road / P.O. Box 1088 / Austin, Texas 78767-8835

NOTICE OF ZONING & PLATTING COMMISSION PUBLIC HEARING FOR A PROPOSED ZONING CHANGE

Este aviso es para informarles de una junta pública tocante a un cambio en el uso de la propiedad indicada así abajo. Si quiere una copia de este aviso en español, hable al teléfono (512) 974-2680.

Mailing Date of this Notice: September 10, 2004
Mailing Date of first Notice: August 26, 2004

File Number: C14-04-0133

ADDRESS AND/OR LEGAL DESCRIPTION OF PROPOSED ZONING CHANGE: (See map) 11800 North Lamar

PROPOSED ZONING CHANGE:

FROM: DR--Development Reserve district is intended to prevent isolated, inappropriate, or premature uses from locating on lands for which adequate public services and facilities are unavailable, or for which a determination of the most appropriate zoning district is precluded by a lack of data customarily utilized in establishment of permanent district classifications, or for which land use and urban development policies have not been completed. LO--Limited Office district is intended for offices predominately serving neighborhood or community needs, which may be located within or adjacent to residential neighborhoods. GR-CO Community Commercial district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major traffic ways. CO--Conditional Overlay combining district may be applied in combination with any base district. The district is intended to provide flexible and adaptable use or site development regulations by requiring standards tailored to individual properties.

TO: GR--Community Commercial district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major traffic ways.

OWNER: Lamar Ventures of Partnership

PHONE: (512) 499-0449

AGENT: Crocker Consultants (Sarah Crocker)

PHONE: (512) 476-6598

ZONING & PLATTING COMMISSION HEARING DATE: September 21, 2004 TIME: 6:00 PM

LOCATION: 505 Barton Springs Road, One Texas Center 3rd Floor, Training Room #325, Austin

If you have any questions concerning this notice, please contact Sherri Gager at the City of Austin, Neighborhood Planning & Zoning Department, (512) 974-3057. Office hours are 7:45 a.m. to 4:45 p.m. Please be sure to refer to the File Number at the top of the page when you call. See enclosed sheet for more information on public hearings.

You may send your written comments to the Zoning & Platting Commission Assistant, Neighborhood Planning & Zoning Department, PO Box 1088, Austin, TX 78767-8835.

File # C14-04-0133-SG

Zoning & Platting Commission Hearing Date: 09/21/2004

Name (please print)

MANUEL ZIEGLER

Address

11813 EUBANK DR AUSTIN 78758

☐ I am in favor

(Estoy de acuerdo)

☒ I object

(No estoy de acuerdo)



City of Austin, Neighborhood Planning & Zoning Department
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File # C14-04-0133-SG

Zoning & Platting Commission Hearing Date: 09/21/2004

Name (please print) GREG GRIFFIN, P.E.

Address 11711 N. LAMAR

☐ I am in favor
(Estoy de acuerdo)

☒ I object
(No estoy de acuerdo)



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Address 11711 N. LAMAR

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(No estoy de acuerdo)